

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

NANCY MARTIN and
MARY BETH BRACKIN

PLAINTIFFS,

v.

CITY OF DOTHAN, JUDGE ROSE
EVANS-GORDON

DEFENDANTS.

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CASE NO: 1:05 CV-1172-F-

PLAINTIFFS' PROPOSED VOIR DIRE EXAMINATION

Plaintiffs request this Court to propound the following voir dire examination to the venire in this case. Assuming that the Court will, ask the venire whether they are familiar with the parties, members of the parties' counsel's firms, the witnesses, the facts of this particular case, and further assuming that the parties will have available to them prior to the selection of jury the standard jury questionnaire forms, Plaintiffs limit their questions to the following:

1. Does anyone know anything whatsoever about the facts of this case? If "yes," what do you know or what have you heard?
2. Are any of you working now, or formally worked for or otherwise had an economical interest in any governmental agency of the City of Dothan?
 - a. Please identify the department or agency of city government

where you work.

- b. Please describe their job title and job description.
 - c. If you didn't work but had an economical interest please explain the nature of that interest.
- 3. Have any of you ever appeared before the Dothan Municipal Court either as a victim, witness or defendant? Explain.
 - 4. Do any of you have any family members who have ever appeared before the Dothan Municipal Court either as a victim, witness or defendant? Explain.
 - 5. Do you have any family members or close friends who now work or in the past worked for any department of the City of Dothan? This includes the City Police Department and the Judicial of Court Department?
 - a. Please identify the family member or close friend.
 - b. Please identify the department or agency of city government where they work.
 - c. Please describe their job title and job description.
 - 6. Are any of you of the opinion that a police officer's testimony at a trial should be given more weight than that of an ordinary citizen?
 - 7. Do any of you believe that once a police officer conducts in investigation that the subject of that investigation must have done something wrong?
 - 8. Do any of you believe that a Department head or a Supervisor

should have the right to terminate an employee for any reason that they want to?

9. Are there any of you who believe that employment discrimination is overstated and that it rarely occurs in the workplace?
10. Are there any of you who believe that employment discrimination can only occur where a white supervisor is discriminating against a black employee. In other words that black supervisors do not discriminate against white employees.
11. Are there any of you who do not believe that employment discrimination is equally wrong whether the people committing the discriminatory acts are white or black?
12. Have you or any member of your family ever worked in a personnel, labor relations, or industrial relations office or department of any company?
13. Have any of you ever been employed as a boss, supervisor, or manager of any business? If so, please state:
 - a. For what company you were so employed;
 - b. What was your position?
 - c. For how long did you occupy said position; and
 - d. While in that position where you ever called upon to investigate or handle a complaint of discrimination?
14. Have any of you had to make a decision regarding a suspension of employment or termination of an employee. If

so, would that fact have any bearing on your ability to render a fair and impartial verdict in this case?

15. Have any of you experienced suspension or termination from a job that you had? If so, would that fact have any bearing on your ability to render a fair and impartial verdict in this case?
16. Do any of you believe that a boss or supervisor should be believed over an employee, simply due to the fact that he/she is the supervisor?
17. Do you believe that it is within management's prerogative to discipline white employees more harshly than black employee?
18. Do you believe that it is within management's prerogative to terminate, suspend and discipline or refuse to discipline or permit the discipline of because of that individual's race?
19. Have you ever been accused of race discrimination? If so, please explain.
20. Have any of your relatives, friends or colleagues ever been accused of race discrimination? If so, explain.
21. Do you believe lawmakers have gone too far in making laws that regulate how employees are treated based upon their race?
22. Do you believe that white people do not usually sense that they are being treated differently on account of their race but black people are more likely to see race as the motive for adverse employment treatment?
23. Do you hold the opinion that these days too many people file

lawsuits about race?

24. Do you hold the opinion that these days too many people file lawsuits about race?
25. Do you have any personal beliefs that there is a limit to what an individual should have as a money award, despite the damages that are proved? If so, please tell us about it.
26. Based upon all the information you have heard today and all the questions you have heard today, is there any reason why you believe that you should not be sitting on this jury?
27. Based upon all the information you have heard today and all the questions you have heard today, is there any reason why you believe that Nancy Martin and/or Mary Beth Brackin, the Plaintiffs in this lawsuit, would not want you on this jury?

RESPECTFULLY SUBMITTED,

/s/Ishmael Jaffree
Ishmael Jaffree (IXJ 002)

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CERTIFICATE OF SERVICE

I hereby certify that on February 15, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

Theodore P. Bell
Carol Sue Nelson
Audrey Dupont
Maynard Cooper & Gale
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/s/Ishmael Jaffree
Ishmael Jaffree

